



US Army Corps  
of Engineers®

SAN FRANCISCO DISTRICT

# PUBLIC NOTICE

Regulatory Branch  
333 Market Street  
San Francisco, CA 94105-2197

NUMBER: 29369N Port Sonoma Marina Maintenance Dredging  
DATE: February 11, 2005  
RESPONSE REQUIRED BY: March 14, 2005

PERMIT MANAGER: Margaret Chang PHONE: 415-977-8465 Email: Margaret.Chang@spd02.usace.army.mil

**1. INTRODUCTION:** The Port Sonoma Associates LLC, through its agent Mr. Brian Swedberg (270 Sears Point Road, Petaluma, CA 94952), has applied for a ten year U.S. Army, Corps of Engineers (Corps) permit to maintenance dredge the Port Sonoma Marina. This application is being processed pursuant to the provisions of Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

## 2. PROPOSED PROJECT:

**Project Site:** Maintenance dredging will occur in the Port Sonoma Marina basins located in the City of Petaluma, Sonoma County, California.

**Project Description:** As shown in the attached drawings, the applicant plans to dredge approximately 80,000 cubic yards of sediment from the Marina basins in the initial episode and a total of approximately 800,000 cubic yards over the lifetime of the permit. Dredge depth is -6 feet (ft) mean low lower water (MLLW) with a 1 ft overdepth. The sediment will be removed using a hydraulic suction dredge. The sediment will be disposed of at the upland site Carneros River Ranch. Specific project details are illustrated in the attached drawings, "Figure 1, Vicinity Map Port Sonoma Project Site," "Port Sonoma Marina Maintenance Dredging/Pipeline Placement Port Sonoma to Carneros River Ranch" and "Figure 3 Post Dredge Survey Port Sonoma Marina, Sonoma, CA".

Prior to each dredging episode, the Dredged Material Management Office (DMMO) will evaluate the sediments to be dredged for disposal or reuse suitability. The DMMO includes representatives from the U.S. Environmental Protection Agency (EPA), San Francisco Bay Conservation and Development Commission (BCDC), San Francisco Bay Regional Water Quality Control Board (RWQCB), and the Corps. The DMMO is tasked with approving sampling and analysis plans in conformity with testing manuals, reviewing the test results and reaching consensus regarding a suitable disposition for the material.

**Purpose and Need:** The purpose of this project is to return the Marina basin to the permitted project depth to ensure safe navigation in the Marina.

## 3. COMPLIANCE WITH VARIOUS FEDERAL LAWS:

**National Environmental Policy Act of 1969 (NEPA):** The Corps will assess the environmental impacts of the proposed action in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. Section 4371 et. seq.), the Council on Environmental Quality's Regulations, 40 C.F.R. Parts 1500-1508, and Corps' Regulations, 33 C.F.R. Parts 230 and 325, Appendix B. Unless otherwise stated, the Environmental Assessment will describe only the impacts (direct, indirect, and cumulative) resulting from activities within the Corps' jurisdiction. The documents used in the

preparation of the Environmental Assessment will be on file with the U.S. Army Corps of Engineers, San Francisco District, Regulatory Branch, 333 Market Street, San Francisco, California 94105-2197.

**Endangered Species Act of 1973 (ESA):** Section 7 of the Endangered Species Act requires formal consultation with the U.S. Fish and Wildlife Service (FWS) and/or the National Marine Fisheries Service (NMFS) if a Corps permitted project may adversely affect any Federally listed threatened or endangered species or its designated critical habitat.

There are a variety of federally listed animal species that may occur in the vicinity of the proposed project area and/or disposal area. Therefore, dredging and disposal will be performed during the work windows identified in the *Management Plan 2001*, Long Term Management Strategy for the Placement of Dredged Material in the San Francisco Bay, dated July 2001 (LTMS) as established by the existing Biological Opinions of the Resource agencies. However, if work is to be conducted outside of the work windows, the Corps will initiate consultation with the U.S. Fish and Wildlife Service and/or NMFS as required by Section 7 of the Endangered Species Act.

*Threatened and Endangered Species* -NMFS has indicated that the following listed species may occur in the project area:

**Sacramento River Winter-Run Evolutionarily Significant Unit (ESU) Chinook salmon** (*Oncorhynchus tshawytscha*) is listed as endangered (January 4, 1994, 59 FR 440). The ESU includes populations of winter-run Chinook salmon in the Sacramento River and its tributaries in California. The disposal site is located within the designated critical habitat for Sacramento River Winter-Run ESU Chinook salmon (58 FR 33212). Adult Sacramento River Winter-Run Chinook salmon migrate through San Francisco Bay, San Pablo Bay,

Suisun Bay, and Honker Bay, to spawning areas in the upper Sacramento River during the late fall and early winter. Juveniles travel downstream through San Francisco Bay to the Pacific Ocean in the late fall.

**Central Valley Spring-Run ESU Chinook salmon** (*Oncorhynchus tshawytscha*) is listed as threatened (September 16, 1999, 64 FR 50394). The ESU includes all naturally spawned populations of spring-run Chinook salmon in the Sacramento River and its tributaries in California. Adult Central Valley Spring-Run Chinook salmon migrate through San Francisco Bay, San Pablo Bay, Suisun Bay, and Honker Bay, to spawning areas in the upper reaches of the river system during the spring. Juveniles travel downstream through San Francisco Bay to the Pacific Ocean in the late fall.

**Central California Coast ESU steelhead** (*Oncorhynchus mykiss*) is listed as threatened (August 18, 1997, 62 FR 43937). The ESU includes all naturally spawned populations of steelhead (and their progeny) in California streams from the Russian River to Aptos Creek, and the drainages of San Francisco and San Pablo Bays eastward to the Napa River (inclusive), excluding the Sacramento-San Joaquin River Basin. The dredging project and disposal site are located within designated critical habitat for Central California Coast ESU steelhead (65 FR 7764).

**Magnuson-Stevens Fisheries Conservation and Management Act:** NMFS and several interagency fisheries councils have designated specific water bodies as Essential Fish Habitat (EFH) in accordance with the Magnuson-Stevens Fisheries Conservation and Management Act. Coordination with the NMFS in regard to EFH will be initiated concurrently with the ESA consultation, if necessary.

This notice initiates the EFH consultation requirements of the Magnuson-Stevens Fishery

Conservation and Management Act. The proposal would impact approximately 32 acres of EFH utilized by various species of sole, shark, salmon, and anchovy. We consider this habitat to be disturbed. The Marina is subject to routine disturbance from boat traffic and is annually dredged to maintain project depth. This habitat may be utilized by various species of sole, shark, salmon and anchovy. These species utilize this habitat for growth and feeding. Eelgrass is not found in this area. During a dredge event, it is anticipated that the fish will leave the area, however, there is ample habitat available to the fish in the Marina. The fish are expected to return when the dredging event ends.

The bottom substrate is expected to be composed of fine silts and clays. The grain size will be confirmed in the sediment testing results report that will be submitted to the DMMO.

Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in California waters. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with NMFS.

**Coastal Zone Management Act of 1972 (CZMA):**

Section 307 of the Coastal Zone Management Act requires the applicant to certify that the proposed project will comply with the State's Coastal Zone Management Program, if applicable. No Corps permit will be issued until the State has concurred with the applicant's certification. Coastal development issues should be directed to the San Francisco Bay Conservation and Development Commission (BCDC), 50 California Street, Suite 2600, San Francisco, California 94111.

**National Historic Preservation Act of 1966**

**(NHPA):** Based on a review of survey data on file with various City, State and Federal agencies, no historic or archeological resources are known to occur in the project vicinity. If unrecorded resources

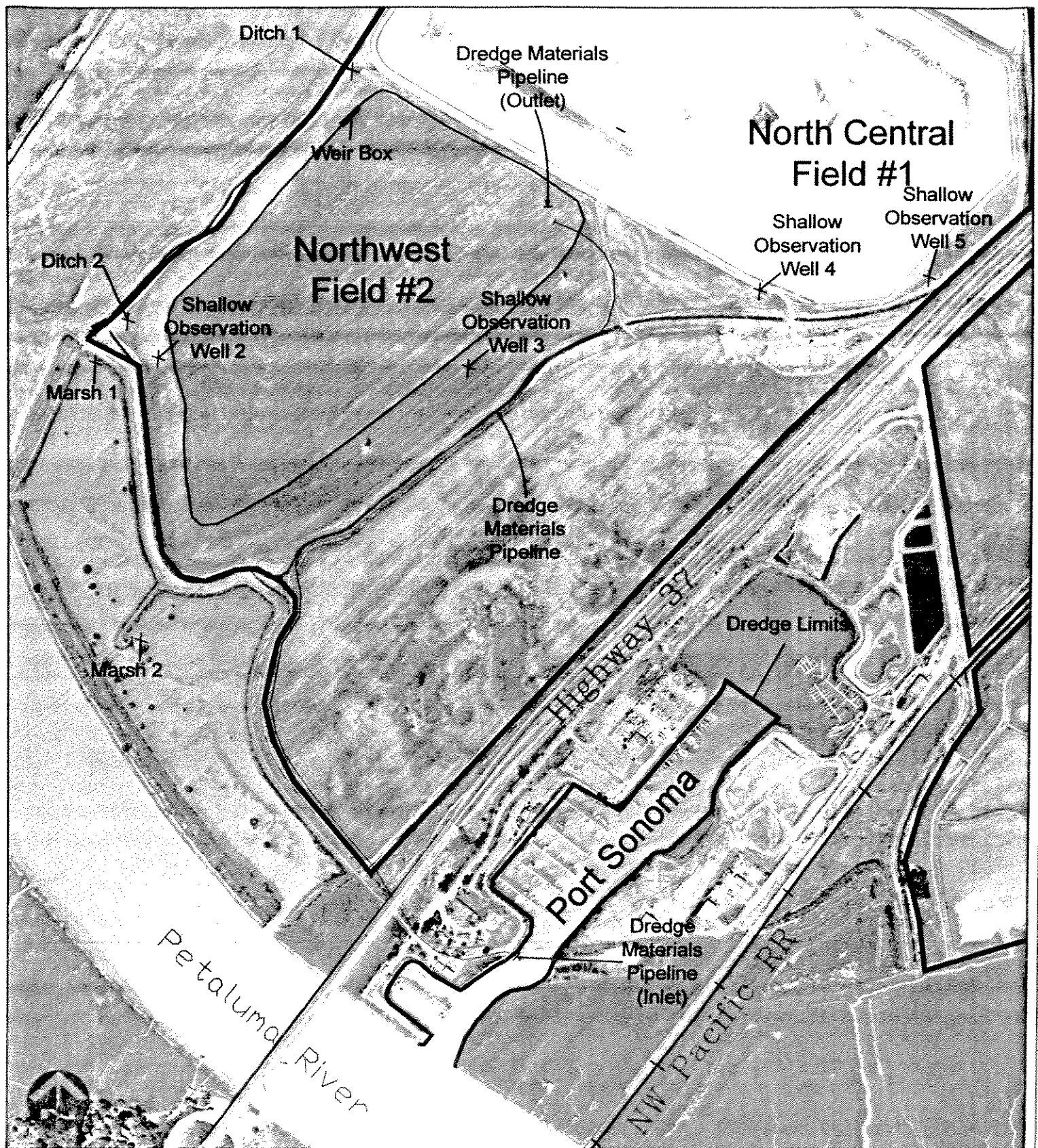
are discovered during construction of the project, operations will be suspended until the Corps completes consultation with the State Historic Preservation Office (SHPO) in accordance with Section 106 of the National Historic Preservation Act.

**4. PUBLIC INTEREST EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impact, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits that reasonably may be expected to accrue from the proposed activity must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered, including its cumulative effects. Among those factors are: conservation, economics, aesthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

**5. CONSIDERATION OF COMMENTS:** The Corps is soliciting comments from the public, Federal, State and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant

to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest in the proposed activity.

**6. SUBMISSION OF COMMENTS:** Interested parties may submit, in writing, any comments concerning this activity. Comments should include the applicant's name and the number and the date of this Public Notice, and should be forwarded so as to reach this office within the comment period specified on Page 1. Comments should be sent to the U.S. Army Corps of Engineers, San Francisco District, Regulatory Branch, 333 Market Street, San Francisco, California 94105-2197. It is the Corps' policy to forward any such comments that include objections to the applicant for resolution or rebuttal. Any person may also request, in writing, within the comment period of this Public Notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Additional details may be obtained by contacting the applicant whose name and address are indicated in the first paragraph of this Public Notice or by contacting Margaret Chang of our office at telephone 415-977-8465 or E-mail Margaret.Chang@spd02.usace.army.mil. Details on any changes of a minor nature which are made in the final permit action will be provided upon request.



Project Number: 755 SBA  
 Source: Pacific Aerials  
 Date: 08/24/04

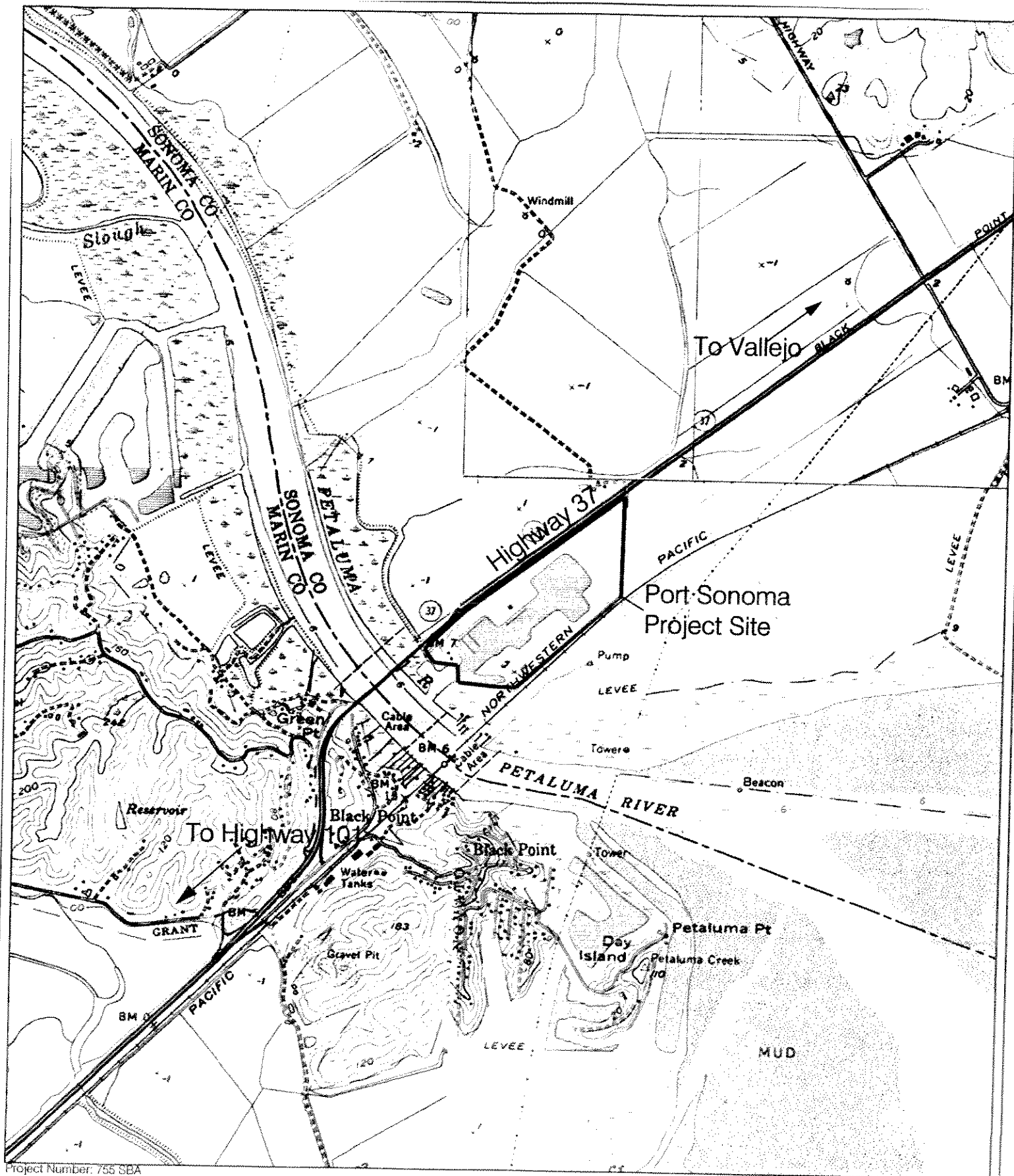


Scale: 1 inch = 700 Feet

**ZENTNER**   
**ZENTNER**  
 Land Planning and Restoration  
 95 Linden Street, Suite 6, Oakland, CA 94607  
 Phone: (510) 622-8110 Fax: (510) 622-8116

Port Sonoma Marina  
 Maintenance  
 Dredging/Pipeline Placement  
 Port Sonoma To Carneros  
 River Ranch





Project Number: 755 SBA  
 Topo Source: USGS 7.5 min.  
 Quad: Petaluma  
 Date: 7/06/04

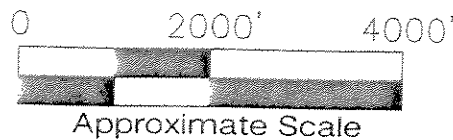


Figure 1  
 Vicinity Map  
 Port Sonoma Project Site  
 Sonoma County, CA

Project Name: **Port Sonoma**  
 Project Number: **755 SBA**  
 Project File: C:\projects\755\755sba\postdredge\survey.dwg  
 Date: **12/20/04**



Project North

**FIGURE 3**

Post Dredge Survey  
Port Sonoma Marina  
Sonoma, CA

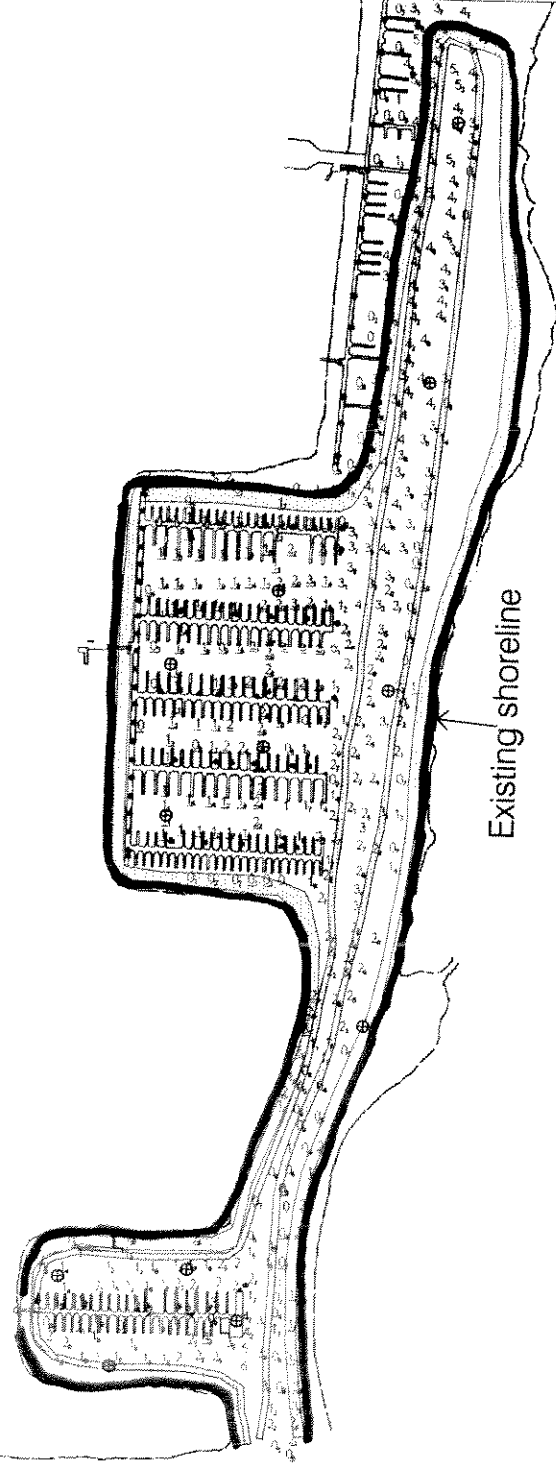
35 Larkin Street, Suite 6, Sausalito, CA 94965  
 Phone: (415) 332-8700 Fax: (415) 332-8706

Legend



Proposed Dredge Area  
 Area Dredged in 2004  
 under NWP 288521N

Sample Locations



Port Sonoma Marina and California Dredging Company Survey Conducted by Steele Associates, LLC, Mill Valley, CA (415) 866-3004 Pre-dredge survey conducted 8/21/04 Port Sonoma Marina Pre-Dredge Survey Represents Conditions on 8/21/04			
NA003 CALIFORNIA STATE PLANE ZONE 3, U.S. SURVEY FEET SOUNDINGS IN FEET, REFERENCED TO MLLW. SOUNDINGS SORTED TO 25 FEET			
11.104	CREATED BY ES	ACTUAL SHORELINE WILL VARY WITH TIDE	DRAWING: NO OVERVIEW